

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

## ORDER

The United States has submitted an Application pursuant to 18 U.S.C. § 2703(d), requesting that the Court issue an order requiring Ooma, Inc., an electronic communications service provider and/or a remote computing service located in Palo Alto, California, to disclose the records and other information described in Attachment A to this Order.

The Court finds that the United States has offered specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation.

The Court determines that there is reason to believe that notification of the existence of this Order will seriously jeopardize the ongoing investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5).

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 2703(d), that Ooma, Inc. shall, within ten days of the date of this Order, disclose to the United States the records and other information described in Attachment A to this Order.

IT IS FURTHER ORDERED that Ooma, Inc. shall not disclose the existence of the Application of the United States, or the existence of this Order of the Court, to the subscribers of the account listed in Attachment A, or to any other person, unless and until otherwise authorized

to do so by the Court, except that Ooma, Inc. may disclose this Order to an attorney for Ooma, Inc. for the purpose of receiving legal advice.

**IT IS FURTHER ORDERED** that the Application and this Order are sealed until otherwise ordered by the Court.

**SO ORDERED.**

Signed: December 18, 2015

  
\_\_\_\_\_  
David S. Cayer  
United States Magistrate Judge  


## ATTACHMENT A

### **I. The Account**

The Order applies to certain records and information associated with the following cell phone number: 732-204-8247.

### **II. Records and Other Information to Be Disclosed**

Ooma, Inc. is required to disclose the following records and other information, if available, to the United States for each account or identifier listed in Part I of this Attachment (“Account”):

- A. The following information about the customers or subscribers of the Account:**
  1. Names (including subscriber names, user names, and screen names);
  2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
  3. Local and long distance telephone connection records;
  4. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
  5. Length of service (including start date) and types of service utilized;
  6. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”), Mobile Identification Numbers (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”), International Mobile Subscriber Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”));
  7. Other subscriber numbers or identities (including temporarily assigned network addresses and registration Internet Protocol (“IP”) addresses (including carrier grade natting addresses or ports)); and
  8. Means and source of payment for such service (including any credit card or bank account number) and billing records.
- B. All records and other information (not including the contents of communications) relating to the Account, including:**
  1. Records of user activity for each connection made to or from the Account, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination Internet Protocol addresses;
  2. Information about each communication sent or received by the Account, including the date and time of the communication, the method of communication, and the source and destination of the communication

(such as source and destination email addresses, IP addresses, and telephone numbers); and

3. All data about which “cell towers” (i.e., antenna towers covering specific geographic areas) and “sectors” (i.e., faces of the towers) received a radio signal from each cellular telephone or device assigned to the Account.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS  
PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, \_\_\_\_\_, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Ooma, Inc., and my official title is \_\_\_\_\_. I am a custodian of records for Ooma, Inc. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Ooma, Inc., and that I am the custodian of the attached records consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business activity of Ooma, Inc.; and
- c. such records were made by Ooma, Inc. as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

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Date

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Signature